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**FAX SHEET**

To:	Examiner Lee	FROM:	Gary Fedorochko
FAX:	703-746-6867	PAGES:	4
RE:	U.S.S.N. 08/760,706	DATE:	September 16, 2002

*If you do not receive all page(s) or have any problems receiving this transmission, please call:*

NAME:	Lisa G. Jones	PHONE:	202-508-9137
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**COMMENTS:**

Examiner Lee:

As discussed attached is a copy of the Quayle Action dated August 16, 1999.

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202 508 9122 P.02/04



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/770,706	12/05/96	NAKAMICHI	N M1653-109

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LMSIV 0816

CAO, A

ART UNIT	PAPER NUMBER
2754	

**RECEIVED**

AUG 17 1999

BANNER & WITCOFF LTD.

DATE MAILED: 08/16/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

04076.73511 *Appl*  
DOCKETED #9

AUG 17 1999  
Amendment Due  
16 OC 1999

<b>Office Action Summary</b>	Application No. <b>08/760,706</b>	Applicant(s) <b>Nakamichi et al</b>
	Examiner <b>Allen Cao</b>	Group Art Unit <b>2754</b>

Responsive to communication(s) filed on Jun 15, 1999.

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 2 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

#### Disposition of Claims

Claim(s) 2, 3, 5-7, 10-26, 28-43, and 45-154 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) 2, 3, 5-7, 10-26, 28-43, and 45-154 is/are allowed.

Claim(s) \_\_\_\_\_ is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claims \_\_\_\_\_ are subject to restriction or election requirement.

#### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(e)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

#### Attachment(s)

- Notice of References Cited, PTO-892
- Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- Interview Summary, PTO-413
- Notice of Draftsperson's Patent Drawing Review, PTO-948
- Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Application/Control Number: 08/760,706

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Art Unit: 2754

1. This application is in condition for allowance except for the following formal matters:

The original patent, or an affidavit or declaration as to loss or inaccessibility of the original patent, must be received before this reissue application can be allowed. See 37 CAR 1.178.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter. The original patent, or an affidavit or declaration as to loss or inaccessibility of the original patent, must be received before this reissue application can be allowed. See 37 CAR 1.178.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen Cao whose telephone number is (703) 305-3796.



ALLEN T. CAO  
PRIMARY EXAMINER

AC

August 13, 1999